

87<sup>th</sup> Legislative Session – 2012

Committee: Senate Taxation

Monday, January 23, 2012

P - Present  
E - Excused  
A - Absent

Roll Call

P Fryslie  
P Hundstad  
P Maher  
P Nelson (Tom)  
P Nygaard  
P Lederman, Vice-Chair  
P Hansen (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Hansen.

MOTION: TO APPROVE THE MINUTES OF FRIDAY, JANUARY 20<sup>TH</sup>

Moved by: Fryslie  
Second by: Lederman  
Action: Prevailed by voice vote.

SB 61: exempt the production of certain plants and sod from sales and use taxes.

Presented by: Senator Tim Begalka  
Opponents: Jan Talley, Department of Revenue

MOTION: DO PASS SB 61

Moved by: Hundstad  
Second by: Lederman  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 61 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Nygaard  
Second by: Fryslie  
Action: Failed by roll call vote. (3-4-0-0)

Voting Yes: Fryslie, Maher, Nygaard

Voting No: Hundstad, Nelson (Tom), Lederman, Hansen (Tom)

THE MOTION TO DO PASS SB 61

Moved by: Hundstad  
Second by: Lederman  
Action: PREVAILED BY ROLL CALL VOTE. (5-2-0-0)

Voting Yes: Hundstad, Maher, Nelson (Tom), Lederman, Hansen (Tom)

Voting No: Fryslie, Nygaard

SB 20: revise certain provisions regarding the disclosure of certain tax returns and tax return information to officers, employees, and legal representatives of the Office of the Attorney General and other state agencies and departments.

Presented by: Andrew Fergel, Department of Revenue

MOTION: AMEND SB 20

20fb

On page 2 of the printed bill, delete lines 1 to 12, inclusive, and insert:

"

- (5) Officers, employees, or legal representatives of any other state agency or department or political subdivision of the state for a civil or criminal law enforcement activity, if ~~the head of~~ the agency, department, or political subdivision desiring such information has made a written request to the secretary specifying the particular information desired and the law enforcement activity for which the information is sought;
- (6) Officers, employees, or legal representatives of the commission on gaming and the lottery commission for the purpose of, and only to the extent necessary for, the administration of chapters 42-7A and 42-7B."

Moved by: Hundstad  
Second by: Lederman  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 20 AS AMENDED

Moved by: Nygaard  
Second by: Lederman  
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Fryslie, Hundstad, Maher, Nelson (Tom), Nygaard, Lederman, Hansen (Tom)

MOTION: AMEND TITLE OF SB 20

20fta

On page 1, line 1, delete everything after "to" and insert "allow returns and return information to be disclosed".

On page 1, line 2, delete everything before "to" .

Moved by: Nygaard  
Second by: Lederman  
Action: Prevailed by voice vote.

MOTION: PLACE SB 20 ON CONSENT CALENDAR

Moved by: Fryslie  
Second by: Nygaard  
Action: Failed by voice vote.

MOTION: CONFIRM APPOINTMENT OF ANDY GERLACH OF HUGHES COUNTY, PIERRE, SOUTH DAKOTA, TO THE POSITION OF SECRETARY OF THE DEPARTMENT OF REVENUE

Moved by: Nelson (Tom)  
Second by: Lederman  
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Fryslie, Hundstad, Maher, Nelson (Tom), Nygaard, Lederman, Hansen (Tom)

MOTION:     ADJOURN

Moved by:     Fryslic

Second by:    Lederman

Action:        Prevailed by voice vote.

Lois Henry  
Committee Secretary

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Tom Hansen, Chair